

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
VANESSA JIMENEZ, *individually and on behalf of all* :  
*others similarly situated,* :

Plaintiff, :

-v- :

PRO THERAPY SUPPLIES, LLC, :

Defendant. :  
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22-CV-4375 (JMF)

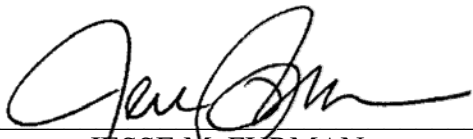
ORDER

JESSE M. FURMAN, United States District Judge:

On July 20, 2022, Defendant filed a notice of motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. ECF No. 12. Although the notice of motion references an “enclosed memorandum of law,” Defendant did not file a memorandum of law in support of its motion. Defendant’s motion to dismiss is therefore DENIED as unsupported. This denial is without prejudice to Defendant seeking a *nunc pro tunc* extension of its answer deadline for the limited purpose of refile its motion to dismiss *with* an accompanying memorandum of law in the event that the failure to timely file a memorandum by the July 20, 2022 answer deadline was inadvertent or Defendant can otherwise show good cause for the untimely filing. The Clerk of Court is directed to terminate ECF No. 12.

SO ORDERED.

Dated: July 21, 2022  
New York, New York

  
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JESSE M. FURMAN  
United States District Judge